

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

10/31/2005  
10:27

ANTHONY BAYAD ,	)	
	)	
	)	
Plaintiff ,	)	<b>CIVIL ACTION</b>
	)	
	)	
	)	<b>CASE NO. 04-cv-10468-PBS</b>
	)	
JOHN CHAMBERS, PATRICIA	)	
RUSSO, ANTHONY	)	
SAVASTANO and CARL	)	<b>HONORABLE DISTRICT JUDGE PATTI B. SARIS</b>
WIESE,	)	
Defendants ,	)	

**NOTICE OF OBSTRUCTION OF JUSTICE AS PERJURY COMMITTED-  
DISCOVERY/DEPOSITION(S) DENIED & - INTENTIONALLY DISOBEYING  
THE UNITED STATES DISTRICT CLERK SUMMONED "SIGNED/SEAL  
SUBPOENA" TO EVADE THE LEGAL DUTY AS PRODUCTION OF DOCUMENT(S)  
& DEPOSITION(S) EVADED --AND --- MOTION IN SUPPORT TO  
MOTION OF TRIAL BY JURY ACCORDINGLY TO THE 7 AMENDMENT OF THE  
U.S. CONSTITUTION**

**1. MATTER TO BE REVIEWED AND CONSIDERED**

Exhibit(s) attached hereto is the Subpoena summoned to  
Defendants by the Court on behalf of the Pro Se as he is not  
in that status ( not an Officer of the Court) to issue Court  
Document(s) as the Subpoena, and such subpoena was for the  
purpose to recuperate the Travel Expenses Document(s) in regard  
to the Position for Cisco System Engineer for North Africa  
Region, where he traveled to United States Arab Emirate(Dubai),  
France ( Paris) , and England ( London) an Oral Contract was  
Granted to him , but such Position was denied to him on

discriminatory ground, and Pro Se Bayad found his name listed in the famous discriminatory list "**the Cisco-No-Hire-List**" an outrageous discriminatory animus that is used internally by executives of Cisco as Defendants, targeting only minority, and Pro Se Bayad ' name was posted intentionally by Defendant Savastano in it . The Subpoena attached hereto was provided on behalf of the Pro Se Bayad by the Honorable U.S. Deputy Clerk and U.S. Trial Judge to be used during discovery process, thereafter Pro Se Bayad advised the attorneys when discovery begun to comply with Subpoena(s) unfortunately it was denied and ignored, and the Attorneys only filed Protective order as trick to keep plaintiff Pro Se away and to change the route- the course of Discovery as they introduced 100 to 200 script (absent of its authenticity) of fabricated pretending to be Pro Se Communication to them , used/ done/ served to influence the Magistrate Judge Bowler to bring her to their sides and they succeeded of doing so , who acted irrationally and against the law , called the United State Marshal and lunched a criminal investigation against Pro Se Bayad and his friend(s) also her friend(s), who knew him and grow up with and hang out with, was accused of stalking the office of the Magistrate Judge and such defamation is against the law, that resulted in posting Pro Se Bayad smiling picture on the Wall of the Office of U.S Marshal of the court to this day, and

without mentioning 4 U.S Marshal guards present each time in every hearing, and such conduct is interpreted by any Citizen of this land as intimidation and deprivation of rights and such conduct was also used by Nazi Gestapo (deja vue) .

Additionally Pro Se is also attaching the proof of correspondences of attorney(s) directing and instruction Cisco Defendants and its employee(s), to destroy the Soft and Hard Copies of Pro Se ' evidence(s) once filed before the Court that is witnessing and is evidencing of such obstruction of Justice, the Exhibits is attached hereto and it is prove of such communication(s) of Defendant **Carl Wiese** the Vice President of Cisco Sales organization, providing Trade Secret(s) of Lucent Technologies to his buddies at Cisco Systems Sales organization that he denied running such organization the **Cisco Sales**, such denial is a **lie**, especially when it was stated under oath and it is **perjury** that he is not the Vice President of such organization the Cisco Sales, and Defendant Carl wise has lied in his declaration signed by him and issued under the pain and perjury pursuant 28 U.S.C § 1746, that he hold a title of an Area Product Vice President of Cisco and "not" **Vice President of Sales as proven**, and found in Dkt.1 filed as hard copy. Pro Se also has requested the soft Copies as matter of rights (Email(s)) accordingly to Fed. R. Evid. 803 (6) and Fed. R. Evid. 1001 (3) as amended by Fed. R. Civ. 34 (a), but Attorneys denied such

request and proceed with destroying them and denied its production as denied the production to Cisco-No-Hire-List and others Critical production of documents as required by the Rule of Discovery 16 and 34 , said to be provided by said rule and by the Court Subpoena , and such illegal conduct of destroying evidence is on the record and will stay on the records, was proven with concrete evidence, thereafter these Lawyer(s) of Piper Rudnick Gray Carry introduced a Public Press Release in regard of such subject of destroying Evidence in Federal Litigation, showing good faith to the public and to the United States Justice Department that was notified of such Federal crime ( Obstruction of Justice Contempt).

2. **CONTEMPT 18 U. S. C. S S 2 j 1.1**

Attorney Bruce Falby, Robin Tarr, Dla piper Rudnick chairman sir Bob Matthias, and Mark Chandlers Cisco lead counselor were caught destroying evidence in this Federal litigation, additionally attorneys are **disobeying** the U.S. district court signed/ seal subpoena summoned to Chambers et, al. provided by the district court clerk and defendants did not comply with such subpoena demand as demanded , and Magistrate Judge Marianna B. Bowler did not let the Defendants whom are very Rich and white to be depose or to participate in this litigation as discovery, and she did not provide any subpoena as required by law and the Court or commended

the one already issued BY TRIAL JUDGE as this one attached hereto to be obeyed and comply with it summon as matter of law, it was ignored and evaded during discovery process even though they were advised and knew it is filed before the Court and even the Trial Judge ruled that must be provided during discovery, and such action did prejudiced Pro Se Bayad, and the presiding Magistrate Judge only allowed Summary Judgment a prematurely motion introduced absent (without) of discovery or deposition(s) ( denied), and such action is considered an abuse of discretion, and any minority as Pro Se Bayad an American discriminated against by the same defendants in two different venues at two separate Jurisdiction once in Florida ( 1997 - 2000)and now in Massachusetts ( 2000 - 2005), such occurrence of abuse Gestapo Style and abuse of power where Justice was Bought once in Florida and such discriminatory - disparage treatment(s) conduct(s)are in violation of Pro Se ' Federally Protected Civil Rights and the law and justice must be serve for once.

Now comes Pro Se Bayad as he is notifying the Court that the Lawyers have evaded this legal proceeding, have destroyed evidences, have disobeyed Subpoenas and have tempered with evidence and were caught ( Emails exchanged) and justice department and the Court was notified once and Default Judgment was also once filed, and it is on the record(s) as public record(s), and the same Defendants were shown evading this federal legal proceeding

(premature Summary Judgment). Such Lawyers numerous offenses of varying seriousness constitute obstruction of justice and when such lawyers Bob Matthias, Bruce Falby, Robbin Tarr, and Mark Chandler of Cisco are obstructing justice and evading the legal process in the above caption matter chambers et, al., a federal administrative proceeding and altering evidence in such litigation by destroying evidence as they were **caught**, have denied to provide "**the complete**" updated list of the discriminatory animus the **Cisco-no-Hire-list**, have evaded the legal process of this case as they introduced a **premature Summary Judgment** without allowing a proper time for discovery according to the law and the Court, and have **influenced federal officer** as they have done with the magistrate Judge Marianna B. Bowler a presiding magistrate judge (discovery master) in this litigation, denied/ignored such deposition(s), Subpoena(s), discovery, sworn affidavit of witness Mr. Navas, **Racial audio the England Heathrow airport** targeting Pro Se Bayad and ignoring **the defamatory email** between Liz Bacchi and Pro Se Manager Lynn Fraser Declaration of Paula Hughes Docket. No. 68 Exhibit C , and obstructing information and evidence(s) in this federal proceeding ( the Cisco-No-Hire-List) provided by Paula Hughes Declaration Docket. No. 68 Exhibit D, also provided by Bruce Falby and Robin Tarr attorneys for DLA Piper Rudnick Gray Cary . Therefore such Lawyers misconduct range from a mere threat to Civil Act to an act of extreme misconduct, and the motive or intend of

these lawyers is obvious characterized the reflection of Smoking Gun, because their misconduct is a part of an effort to deter dilatory and abuse tactics and frivolous and prematurely Motion of Summary Judgment that is obstruction of Justice 18 U.S. C. section (§) 228 and default should be entered under Rule 55 (b) (2) upon application once before filed before the Court . Interstate Commerce Commission v daley. 26 F. Supp 421, and not willful to comply with the Rule of law, their action(s) is considered an action of discrimination against Pro Se Bayad, and his Case, a case of Civil Rights and Employment Discrimination law. The U.S. Magistrate Judge Bowler should endeavor to construe Minorities case(s) and Complaint(s) as Pro Se Bayad for protection of Civil Rights with utmost liberal reading and interpretation and without regard to technicality, in addition the lawyers Bruce Falby , Robin Tar, Bob Matthias, attorneys for DLA Piper Rudnick Gray CARY , and Mark Chandlers corporate Counselor of Cisco Systems Inc., such lawyers misconduct had a burden on the administration of justice that prejudiced Pro Se, and they are sending the wrong message to corporate America and its managers that is Ok to discriminate against Minorities as Pro Se Bayad. The Law and the administration of Justice cannot allow such misconduct to reoccur as proven it was executed upon Pro Se Bayad for about 10 Years, commencing in Florida in 1997 - 2000and proceeded to Massachusetts from 2000- to 2005 present time, such discrimination must be stopped upon again

being executed upon other U.S. Citizens as they have done with Pro Se Bayad, and Justice must protect Pro Se Bayad ' rights and provide him with Right of Due Process( U.S constitution) as matter of law this land. The Court authority and its Rule(s) of Law(s) must call the need to vindicate the authority ("the honorable Court") is mandatory in this Civil Rights Case, because such misconduct constitute contempt as they ( attorneys) are attempting to take upon them selves the power to determine what is the law and in doing so, subject them selves to Civil Contempt, and have already lost all the benefit of doubt in Pro Se discrimination case. These attorneys are still going an going as they provided "**signed**" declaration(s) of their own and declaration(s) of others and this include Chambers et, al. Docketed No.68, then when Pro Se filed his declaration(s) supported by **preponderance of Evidence(s)** in support of his **newly evidence(s)**, they filed a motion to strike such declaration(s) of Pro Se signed in similarity as Defendant(s), such attorney(s) stated in it (such motion to strike) that declaration(s)of their(s) including those of Pro Se Bayad must be duty sworn. IT IS A SHAME as it is a **SIGN OF SMOKING GUN**, when deposition(s)denied, Subpoena not provided and those provided were not obeyed and denied, discovery denied, jury trial denied but the right of due process must not be denied and justice must not be miscarriage as was done achieved in the United States southern district of Fort Lauderdale ( 11. Cir 2000),

where material issues of fact were unresolved, however in this above caption matter Chambers Et, Al., and in such case direct evidence(s) must not be ignored, and material facts and problems must not be resolved on a prematurely summary judgment introduce by these attorneys without proper time allowed for discovery and deposition(s), and such attorneys ' statement(s) in their brief(s) or argument(s) in such Prematurely Summary judgment illegally introduced is not sufficient for purpose of granting such motion of their(s) the summary judgment . Trinsey v. Pagliaro, D.C. PA. 1964, 229 F.Supp. 647, finally the United States Magistrate Judge Marianna B. Bowler-<sup>1</sup> should not have granted it or allowed it the Defendant(s) summary Judgment, that was prematurely introduced illegally absent of discovery or deposition(s) and should have recommended or granted trial by Jury or as deemed and appropriate by her or this Honorable Court, and knowingly the Defendant(s) the moving party has not established the right to a judgment with such clarity as to leave no room for controversy. Id. Quoting Snell v. united States, 680 F.2d 545 , 547 ( 8<sup>th</sup> Cir.); 459 U.S. 989, 103 S.C.t. 344, 74 L.Ed. 2d 384 ( 1982),

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<sup>1</sup> United States Supreme Court recognized that natural person (Such Plaintiff Pro Se Anthony Bayad) have right to represent himself, which is described as "basic right of free People". Fareta v. California 422 U.S. 806, 95 S.C.t. 2525, 45 LE.d 562 (1975).

It is obvious Defendants or their attorneys had failed to comply with such rules, and Pro Se Bayad should not loose his right of Due Process in this Federal Civil Proceeding from such adverse decision simply because he is not presented by an Attorney or simply because he is proceeding Pro Se and Minority, or ignorant of the law, and the honorable Court of the U.S. district of Massachusetts has duty to assist any Pro Se plaintiff in similarity as Anthony Bayad in Civil Rights litigation as matter of law and as required by justice as in matter of Justice to protect the integrality of Justice .

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This Honorable Court -respectfully must provide Pro Se Bayad such of Rights as matter of rights according of such rights, and with the accordance of such rights under the law and the rule of the Court as was given to Sinai ( Pro Se ) v. New England Telephone and Telegraph Company. 3 F.3d 471 (1<sup>st</sup> Cir. 1993), cert. denied, 513 U.S. 1025, 115 S.C.t 597, 130 L.E.d 2 d 509 (1994).

**RELIEF REQUESTED**

WHEREFORE, Pro Se Bayad prays that to the Honorable Court Provide him trial by Jury or as deemed and appropriate by the Honorable Trial Judge; and/or declare the defendants and their attorneys ' conduct to be in violation of his rights; and/or enjoin defendants from engaging in such discriminatory conduct; and/or award him back pay and benefits ( with interest) that have accrued to date; and/or award him front pay until normal retirement age; and/or award him compensatory damages as stated in the complaint for emotional distress, mental anguish, and loss of enjoyment of life, humiliation and the disparate treatment, and discrimination and false imprisonment he suffered at the hand of such defendants once commenced at Lucent Technologies Florida, International Services Florida, and ended now at Cisco Systems to present time 2005 to present. (any Jury will find such racial conduct outrageous)

**CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED that a true and correct copy of SUCH MOTION. was furnished via U.S. mail to : Bruce E. Falby, BBO #544143, PIPER RUDNICK LLP, One International Place, Boston MA 02110, this 28 day of October 2005 .

**ANTHONY BAYAD, PRO SE  
2 Magoun Avenue  
Medford, MA 02155  
Telephone (781) 704-8982**

*Anthony Bayad*